

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SUP-13902 - APPLICANT: DON AHERN -  
OWNER: DFA, LLC**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 15, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

The Planning Commission (5-1/ld vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a helipad use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Variance (VAR-13900), Site Development Plan Review (SDR-13904), and Special Use Permit (SUP-13903) shall be required.
3. A flight plan must be approved by the Federal Aviation Administration (FAA), the Clark County Department of Aviation, and the City of Las Vegas prior to operation of the helipad.
4. The applicant must file FAA Form 7480-1 with the FAA and receive approval of the heliport prior to the issuance of a building permit.
5. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
6. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit for a proposed Helipad and a Waiver to allow a Helipad as an accessory use to a facility other than a hospital, medical facility, or medical office on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

**EXECUTIVE SUMMARY**

This request will not negatively affect the surrounding area. Staff supports the proposal and the associated Waiver as it will not negatively impact residential areas and it will likely be minimally used. To insure low impact, a condition has been added that requires submittal of a flight path prior to construction of the helipad.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 10/05/06      The Planning Commission recommended approval of companion items ZON-13896, VAR-13900, SUP-13903 and SDR-13904 concurrently with this application
- 10/05/06      The Planning Commission voted 5-1/ld to recommend DENIAL (PC Agenda Item #12/ng).

***B) Pre-Application Meeting***

- 05/15/06      A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres:            2.61

***B) Existing Land Use***

Subject Property:    Parking  
North:                Mini-Mart  
South:                U.S. 95  
East:                  Sears Service Center  
West:                  Rental Shop; Warehouse

**C) *Planned Land Use***

Subject Property: C (Commercial)  
North: SC (Service Commercial); M (Medium Density Residential)  
South: U.S. 95 ROW  
East: LI/R (Light Industry/Research)  
West: LI/R (Light Industry/Research)

**D) *Existing Zoning***

Subject Property: R-E (Residence Estates); C-2 (General Commercial)  
North: C-1 (Limited Commercial); R-E (Residence Estates)  
South: U.S. 95 ROW  
East: M (Industrial)  
West: C-2 (General Commercial)

**E) *General Plan Compliance***

The subject parcel is located in the C (Commercial) area of the Redevelopment Plan Area. This designation allows for a variety of commercial uses including general office and retail. The underlying zoning of C-2 (General Commercial) complies with this designation.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
Redevelopment Plan Area	<b>X</b>	
West Las Vegas	<b>X</b>	
<b>Special Overlay District</b>	<b>X</b>	
Airport Overlay District	<b>X</b>	
<b>Trails</b>	<b>X</b>	
Pioneer	<b>X</b>	
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

#### Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

#### Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

### **ANALYSIS**

#### ***A) General Analysis and Discussion***

- Zoning

Helipads are allowed in a C-2 (General Commercial) zone with approval of a Special Use Permit. The subject proposal will be located on the roof of a proposed office building.

- Use

This use is appropriate for the proposed development and will not be detrimental to surrounding areas. Its location adjacent to U.S. 95 will minimize the impact of arriving and departing helicopters and will give them direct access to an appropriate flight path. It should be noted that a proposed flight path has not been provided. A condition has been added requiring that a site plan be submitted and approved prior to operation of the helipad.

A Waiver has been requested from the second condition (listed below) to allow a helipad as an accessory use to a facility other than a hospital, medical facility, or medical office. Given the location of the building on which the helipad will be located, Staff supports the waiver as surrounding properties will be well protected.

- Conditions

1. The heliport shall be permitted only as an accessory use to a hospital, medical facility, or medical office.
2. The heliport shall designate a flight path which does not fly over adjacent residential areas.

## **FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use is harmonious with the surrounding area. Adjacency to U.S. 95 means that helicopters using the facility will have access to a preferred flight pattern in the Las Vegas Valley.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The addition of a helipad on top of a proposed office tower will not increase the intensity of the land use already planned for the site.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Street and highway facilities are irrelevant to this request as no additional traffic will be generated by the request. If anything, automobile traffic will be reduced due to the alternate transportation options available.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this Special Use Permit will not compromise the public health, safety or welfare of the general public.

## **PLANNING COMMISSION ACTION**

The Planning Commission voted against the helipad as they believed it would be an unnecessary disturbance to nearby residences. If approved, condition #3 should be deleted as incorrect.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

23

## **ASSEMBLY DISTRICT**

6

## **SENATE DISTRICT**

4

**NOTICES MAILED** 99 by City Clerk

**APPROVALS** 1

**PROTESTS** 0